

BOARD OF SELECTMEN

Minutes of the Meeting of 25 July 2007 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Brian Chadwick, Michael Kopko, Allen Reinhard, Patricia Roggeveen and Whiting Willauer. Chairman Willauer called the meeting to order at 6:15 PM following a meeting of the County Commission.

Announcements. Assistant Town Administrator Tracy Murray noted that the July 26, 2007 Special Town Meeting will begin at 7:00 PM at Nantucket High School.

Public Comment. None.

Approval of Minutes of 3 July 2007 at 9:00 AM and 27 June 2007 at 6:00 PM. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 22 July 2007. The Board approved the payroll warrant by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 25 July 2007. On Chairman Willauer's invitation Police Chief William Pittman and Fire Chief Mark McDougall spoke regarding a contract with Kaestle Boos Associates for professional services for design of a public safety facility at 2 Fairgrounds Road. Ms. Roggeveen moved to approve the treasury warrant and pending contracts. Mr. Kopko seconded. So voted unanimously.

Citizen/Departmental Requests

1. Request for Determination on Removal of a "Public Shade Tree." Andrew Dey, resident of 7 Eagle Lane, spoke in favor of the request, noting his willingness to follow the Board's decision either way. Tree Warden David Champoux spoke against removal of the catalpa tree at 7 Eagle Lane and added that certain measures to protect the tree during construction should be required to preserve it. Discussion followed on the catalpa tree itself and its history, the survivability of the tree and the help that the Tree Warden is willing to provide the homeowner in protecting the tree, which is growing along the curb of the street. Emily Holden of the Nantucket Land Council noted the importance of preserving the tree. Mr. Reinhard moved to uphold the Tree Warden's recommendation that the tree remain in place. Mr. Kopko seconded. So voted unanimously.

Selectmen Reports/Comment

1. Discussion on July 26, 2007 Special Town Meeting Article 1. Chairman Willauer reviewed a pending motion for Article 1 (Real Estate Acquisition: Dreamland Theatre) regarding the Town's purchase of the Dreamland Theatre for \$9 million and noted contingencies, including a commitment up front of \$4 million from supporters for renovations, income from the Land Bank and a borrowing component for the balance. Discussion followed on the Board's prior vote on a motion, this being a citizen's article and alleged the impropriety regarding two Board members (Mr. Kopko and Chairman Willauer) creating a new motion with the help of Town Counsel. Mr. Kopko read and explained the motion.

Mr. Chadwick asked questions, which Mr. Kopko answered regarding the sale of the property. Mr. Chadwick noted that there has been no change from the earlier situation on funding and questioned the non-specific wording of the new motion. Discussion followed on next steps, the

commitment of the Town and the effect of a positive vote on this matter as to other potential buyers' involvement.

Ms. Roggeveen suggested that the Board not engage in this matter, but rather wait to act when and if outside parties are able to raise the \$4 million. Mr. Kopko shared thoughts about the loss of the theatre. Discussion followed on variables and unknowns in this proposal to come before the voters and the "ability of the Board of Selectmen to pull the plug at any time" in the future. Discussion continued on the Board's control for any plan to be created.

Ms. Roggeveen moved to change the amount to \$7 million and Mr. Chadwick asked about language to designate "binding commitments." Mr. Kopko asked if this would become a Selectmen-sponsored article. Ms. Roggeveen withdrew the motion. Chairman Willauer clarified that the Board is in no way committing itself to the article.

2. Discussion on July 26, 2007 Special Town Meeting Article 3. Transportation Planner Michael Burns explained the article. Frank Spriggs advised that the Planning Board reviewed the matter at its last meeting.

Mr. Kopko urged citizens to attend the meeting, noting that a quorum of 405 is required for the appropriation articles.

The meeting adjourned at 7:20 PM.

Approved the 5th day of September 2007.